

[Shri Siddheswar Prasad]
lation) Act, 1951. [Placed in Library. See
No. LT-3478/72.]

ANNUAL REPORT OF THE E.S.I.C.

SHRI BALGOVIND VERMA: beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Employees' State Insurance Corporation for the year 1970-71, under section 36 of the Employees' State Insurance Act, 1948. [placed in Library. See No. LT 3479/72.]

13.36 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary of Rajya Sabha :-

'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Monday, the 21st August, 1972, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee or the Houses on the Disturbed Areas (Special Courts) Bill, 1972. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion.

MOTION

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the Speedy trial of certain offences in certain areas and for matters connected therewith, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee :

1. Shri Yogendra Shama
2. Shri M. S. Abdul Khader
3. Shri Veerendra Patil

4. Dr. Bhai Mahavir
5. Shri Ibrahimabhai Kasambhai Kalania
6. Shri S. B. Bobdey
7. Shri Nabin Chandra Buragohain
8. Shri Bhola Paswan Shastri
9. Shri Ranbir Singh
10. Shri Sikandar Ali Wajd
11. Shri Sitaram Singh
12. Shri Hamid Ali Schamanad
13. Shri Mahendra Mohan Choudhury
14. Shri Todak Basar
15. Shrimati Sita Devi"

13.38 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SEVENTEENTH REPORT

SHRI G. G. SWELL (Autonomous Districts) : I beg to present the Seventeenth Report of the Committee on Private Members' Bills and Resolution.

COMPANIES (AMENDMENT) BILL

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : I beg to move :

"That the Bill further to amend the Companies Act, 1956, the Securities Contracts (Regulation) Act, 1956 and the Monopolies and Restrictive Trade Practices Act, 1969, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—

- (1) Shri Syed Ahmed Aga
- (2) Shri Bedabrata Barua
- (3) Shri H.K.L. Bhagat
- (4) Shri Somnath Chatterjee
- (5) Shri Tridib Chaudhuri
- (6) Shri Khemchandbhai Chavda
- (7) Shri C. Chittibabu
- (8) Shri S.R. Damani
- (9) Shri C.C. Desai
- (10) Shri G.C. Dixit

- (11) Shrimati Vijayalakshmi
- (12) Shri Popatlal M. Joshi
- (13) Shri Ramachandran Kadannapalli
- (14) Shri Baburao Jangluji Kaje
- (15) Shri Jagannath Mishra
- (16) Shri Surendra Mohanty
- (17) Shri Priya Ranjan Das Munsi
- (18) Shri D.K. Panda
- (19) Shri Narsingh Narain Pandey
- (20) Prof. Madhu Dandavate
- (21) Shri H.M. Patel
- (22) Shri S.B.P. Pattabhi Rama Rao
- (23) Shri R. Balakrishna Pillai
- (24) Shri Jagannath Rao
- (25) Shri Bishwanath Roy
- (26) Shri P.M. Sayeed
- (27) Shri Nawal Kishore Sharma
- (28) Shri R.R. Sharma
- (29) Shri P. Ranganatha Shenoy
- (30) Shri R.K. Sinha

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session; that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and Communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : It was decided in the Business Advisory Committee that this may be disposed of without any discussion and the Select Committee will go into every thing.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Just I want to make a brief submission.

MR. SPEAKER : Don't do it when we have decided in the BAC....

SHRI JYOTIRMOY BOSU : There are some things very confusing in the Bill, something contradictory. It is not very clear.

MR. SPEAKER : What?

SHRI JYOTIRMOY BOSU : I will read it out.

MR. SPEAKER : When it goes to the Committee, you can mention these things.

SHRI JYOTIRMOY BOSU : How can I, I cannot appear before the Committee.

I have made a submission to you before 11 O'clock. The question is : I refer to clause 204A which says :

"(1) Except with the previous approval of the —

- (a) company in general meeting, and
- (b) Central Government,

No company shall, during a period of five years from the commencement of the Companies (Amendment) Act, 1972, appoint as secretary, consultant or adviser or to any other office, by whatever name called, any individual, firm or body corporate who, or which, had before the 3rd day of April, 1970, been—

(i) holding office as the managing agent or secretaries and treasurers of the company; or

(ii) any associate of the managing agents or secretaries and treasurers of such company.

Provided that where any such appointment has been made before the commencement of the Companies (Amendment) Act, 1972, no such appointment shall be continued by the company after a period of six months from such commencement

[Shri Jyotirmoy Bosu]

unless such appointment has been approved by the company in general meeting and the Central Government before the expiry of the said period".

Now I want only to ask a question. What will happen after five years?

One more submission. What is the object of bringing this Bill? These large monopoly houses, in the course of four years, have increased their wealth by as much as 76%. The Mafatlals which has an asset of Rs. 92 crores in 1969, to-day has assets of Rs. 156 crores. Tatas whose assets were only Rs. 505 crores, to-day they have assets worth Rs. 638 crores. The rise is 29%. With 76% growth the industry is not producing anything, but they are getting fatter.

These two things he may make clear.

MR. SPEAKER: These matters can always be considered by the Select Committee. How can the Minister commit himself? Let it go to the Committee. Why do you want to prejudge everything?

SHRI RAGHUNATHA REDDY: I can assure the hon. Member that these matters will be fully gone into by the Committee.

SHRI JYOTIRMOY BOSU: I have pointed out an anomaly.

MR. SPEAKER: The Minister says that the committee will consider these things.

SHRI JYOTIRMOY BOSU: A Bill has been brought before the House.

As a member of the House, when I see something which is confusing and which is not clear, I have a right to point it out. Let the Minister make a statement.

SHRI RAGHUNATHA REDDY: The language of the Bill is very clear. The questions that have been raised by the hon. Member would be amply taken into consideration by the Committee and if any improvement is necessary, it will be done.

SHRI JYOTIRMOY BOSU: After five years?

MR. SPEAKER: He is fond of talking. What to do?

SHRI SEZHIYAN (Kumbakonam): This is not a good procedure that as it has been decided in the BAC, it may be straightway referred to the Select Committee. This is not a happy precedent because the Select Committee should know the mind of the House also. Also, this should not be taken as precedent for future. The Bills should not be referred to Select Committee as a routine without a discussion here because they would like to know the mind of the House.

MR. SPEAKER: I put it because it was decided to refer it to the Select Committee without discussion. But if you want to oppose it, you are very welcome. We cannot override the Rules. They are always there. It is just because of your mutual understanding that I did it. But if you do not want to implement it, then we will have a discussion.

SHRI JYOTIRMOY BOSU: When the Minister moves a Bill and I find something wrong and I ask him to make a statement, you do not allow it.

MR. SPEAKER: You yourself were there in the PAC.

Now, the question is:

"That the Bill further to amend the Companies Act, 1956, the Securities Contracts (Regulation) Act, 1956 and the Monopolies and Restrictive Trade Practices Act, 1969, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

- (1) Shri Syed Ahmed Aga
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that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

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that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

13.46 hrs.

ANTIQUITIES AND ART TREASURES BILL

THE MINISTER OF EDUCATION,
 SOCIAL WELFARE AND CULTURE
 (PROF. S. NURUL HASAN) : I beg
 to move*

"That the Bill to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of, and fraudulent dealings in, antiquities, to provide for the compulsory acquisition of antiquities and art treasures for preservation in public places and to provide for certain other matters connected therewith or incidental or ancillary thereto, be taken into consideration."

13.47 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Our country has had a long and distinguished history and naturally, we have in our land a very large number of objects of art and representations of the progress achieved by the Indian people through the ages. This valuable heritage of the nation has to be protected and preserved by us against destruction or smuggling out. Whether it is in the field of art or architecture, sculptures, painting, metal-works or wood-crafts or even in the case of manuscripts there are objects of art which have to be preserved from vandalism. Unfortunately, our country has suffered cruelly, particularly, since certain rich individuals mainly abroad but, to some extent, even in this country, have considered it fashionable to acquire art objects and to treat them as private property and therefore, they have encouraged this despoliation of monuments or disposals of priceless pieces of paintings. Thefts of sculptures from monuments like the bracket figures from the magnificent Khajuraho temples or even chiselling away of sculptures from other

*Moved with the recommendation of the President